

# SWANSON GARDNER MEYERS

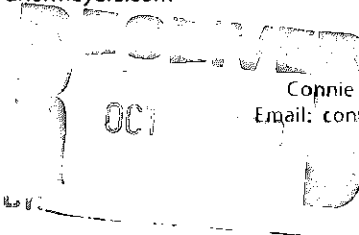
Arthur D. Swanson  
Todd W. Gardner  
Peter E. Meyers  
Dylan R. Cohon

[www.swansongardnermeyers.com](http://www.swansongardnermeyers.com)

4512 Talbot Road South  
Renton, WA 98055-6216  
Phone (425) 226-7920  
Toll Free (800) 427-5452  
Fax (425) 226-5168

Arthur D. Swanson, Attorney at Law

Cornie Kyes Grenley, Litigation Paralegal  
Email: [connie@swansongardnermeyers.com](mailto:connie@swansongardnermeyers.com)



September 29, 2019

Kathryn Cerise  
EPA Region 10, 12-D12-1  
1200 Sixth Avenue - Suite 155  
Seattle, WA 98101

Re: Quendall Terminals Superfund Site

Dear Ms. Cerise:

I have been a practicing attorney in Renton, Washington for over 55 years. I am familiar with the Quendall Terminals Superfund Site in Renton, Washington.

I have visited the area of this site many times over the years as my neighbor hauled poles from the Baxter Pole Company.

I am opposed to the EPA's proposed clean up plan for the following reasons:

1. After decades of investigation, the environmental community deserve a cleanup plan that can be implemented quickly and effectively. Unfortunately, EPA's plan will only further delay site remediation, natural habitat restoration and upland economic development.
2. The site has languished too long and the community deserves a cleanup that can occur within a reasonable timeframe and at a cost that will avoid lengthy litigation and delay of future economic development.
3. EPA's proposed plan will take too long to implement, cause terrible disruption to the community, delay the future development and costs three times more than other alternatives that are also protective.
4. EPA has chosen a risky and unproven technology (STAR) to burn-in-place more than 100 years of underground waste when better cleanup options are available and just as protective of human health and the environment according to EPA's own studies. Because the effectiveness of STAR is unknown, the actual cost of EPA's plan is expected to be significantly higher than the \$100 million estimate and take three times longer than other protective alternatives.

5. The public, and the neighboring homeowners and fans who visit the adjacent Seahawks training facility are not likely to support the use of smoldering remediation. The extra costs and time associated with this type of science experiment creates a level of uncertainty that will destroy any possibility of redevelopment.
6. After the underground burning is implemented and doesn't work, EPA will require more than five years of active cleanup construction that will bring more traffic, odors and disruption to the northeast Renton neighborhood.
7. EPA's preferred alternative far exceeds the value of the property. EPA is choosing an alternative it knows can't be implemented anytime soon. EPA agrees that cleanup alternatives costing one-third as much are protective of human health and the environment and would facilitate the cleanup and redevelopment in a reasonable timeframe.
8. After more than 15 years of environmental studies, EPA determined there were several options that are less disruptive to the neighborhood but have decided to ask the public to agree with their decision to experiment with technology that is not proven on a large-scale project. Despite what EPA implies in its plan, none of the alternatives can accomplish the EPA policy goal of restoring groundwater to federal drinking water standards. EPA estimates even with the most aggressive cleanup, groundwater would not be cleaned up for more than 100 years, if ever.
9. The groundwater is not a source for domestic use (and can't be under local Renton City laws); and the groundwater contamination also doesn't impact Lake Washington. Therefore, EPA can and should choose a remedy that treats potentially mobile contamination as well as contamination near the lake and adds safeguards to ensure any residual contamination remains contained. After STAR is implemented and does not work, EPA will essentially end up with the same result (treatment of potentially mobile contamination and containment) but only after wasting tens of millions of dollars.
10. The company originally responsible for the contamination (Reilly Tar & Chemical/Vertellus) went bankrupt in large part because of EPA's outrageous approach to this site. As a result, the local family businesses that own and want to develop the property (but never caused the contamination and can't pay for the cleanup) cannot do so.
11. The cleanup and redevelopment are closely linked – the cleanup cannot be implemented without the funding from a buyer that will develop the property. A recent prospective buyer walked away because EPA is proposing a cleanup that is too expensive and too uncertain as to cost and schedule.
12. The development plans for the property have been approved by the City of Renton; but, time is of the essence because the development agreement will expire if the site is not cleaned up and 51 percent occupied by 2027.

Kathryn Cerise  
EPA Region 10, 12-D12-1  
Re: Quendall Terminals Superfund Site  
September 28, 2019  
Page - 3

13. Before a developer will commit over one-half billion dollars in resources, it must have confidence that the cleanup and habitat restoration can be accomplished in a timely manner and at a verifiable and reasonable cost.

It is my hope the current EPA Plan will be rejected in order to be able to proceed with a much more reasonable plan.

Sincerely,

A handwritten signature in black ink, appearing to read "Arthur D. Swanson", written over the typed name.

Arthur D. Swanson  
Attorney at Law

ADS:ckg